

ORIGINAL



0000062029

BEFORE THE ARIZONA CORPORATION COMMISSION

25

COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
BARRY WONG

2006 OCT -6 P 2:50

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

OCT -6 2006

DOCKETED BY

nr

IN THE MATTER OF THE APPLICATION OF
ARIZONA PUBLIC SERVICE COMPANY FOR A
HEARING TO DETERMINE THE FAIR VALUE
OF THE UTILITY PROPERTY OF THE COMPANY
FOR RATEMAKING PURPOSES, TO FIX A JUST
AND REASONABLE RATE OF RETURN
THEREON, TO APPROVE RATE SCHEDULES
DESIGNED TO DEVELOP SUCH RETURN, AND
TO AMEND DECISION NO. 67744.

DOCKET NO. E-01345A-05-0816

IN THE MATTER OF THE INQUIRY INTO THE
FREQUENCY OF UNPLANNED OUTAGES
DURING 2005 AT PALO VERDE NUCLEAR
GENERATING STATION, THE CAUSES OF THE
OUTAGES, THE PROCUREMENT OF
REPLACEMENT POWER AND THE IMPACT OF
THE OUTAGES ON ARIZONA PUBLIC SERVICE
COMPANY'S CUSTOMERS.

DOCKET NO. E-01345A-05-0826

IN THE MATTER OF THE AUDIT OF THE FUEL
AND PURCHASED POWER PRACTICES AND
COSTS OF THE ARIZONA PUBLIC SERVICE
COMPANY.

DOCKET NO. E-01345A-05-0827

PROCEDURAL ORDER

BY THE COMMISSION:

On November 4, 2005, the Arizona Public Service Company ("APS") filed an application with the Arizona Corporation Commission ("Commission") for a rate increase and to amend Decision No. 67744 (April 7, 2005).

On November 9, 2005, the Commission opened a docket to investigate the unplanned outages during 2005 at the Palo Verde Nuclear Power Generating Station. The Commission also opened a docket to audit the fuel and purchased power practices and costs of APS.

On January 31, 2006, APS filed an Amended Application.

By Procedural Order issued September 18, 2006, the above-referenced matters were consolidated.

On October 5, a Motion to Permit Michael F. Healy, Esq. to Appear *Pro Hac Vice* Pursuant to Rule 33, Rules of the Arizona Supreme Court, and a Motion for Temporary Admission of Gary L. Nakarado as counsel *pro hac vice* were filed with the Commission

On October 5, 2006, the pre-hearing conference was held as scheduled, and both motions were granted.

IT IS THEREFORE ORDERED that Gary L. Nakarado shall be admitted *pro hac vice* on a temporary basis in the above-captioned matter. He shall update and file with the Commission the required documents from the State Bar of Arizona when received. His address for service of papers and other communication shall be:

Gary L. Nakarado
24657 Foothills Drive N
Golden, CO 80401

IT IS FURTHER ORDERED that the address for service of papers and other communication for the Arizona-licensed attorney designated as Timothy M. Hogan shall be:

Timothy M. Hogan
ARIZONA CENTER FOR LAW IN THE PUBLIC INTEREST
202 E. McDowell Road, Ste. 153
Phoenix, Arizona 85004

IT IS FURTHER ORDERED that Michael F. Healy shall be admitted *pro hac vice* in the above-captioned matter. His address for service of papers and other communication shall be:

Michael F. Healy
MORGAN, LEWIS & BOCKIUS
1111 Pennsylvania Avenue, NW
Washington, DC 20004

IT IS FURTHER ORDERED that the address for service of papers and other communication for the Arizona-licensed attorney designated as Deborah R. Scott shall be:

Deborah R. Scott
SNELL & WILMER
400 East Van Buren
Phoenix, AZ 85004

...
...
...
...

1 IT IS FURTHER ORDERED that Arizona Public Service Company shall file its **Rejoinder**
2 **Testimony on the Palo Verde issue no later than November 3, 2006.**

3 DATED this 6 day of October, 2006

4
5
6 
7 LYN FARMER
8 CHIEF ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 6 day of October, 2006 to:

11 Jana Van Ness
12 Arizona Public Service Company
13 400 N. 5th Street, MS 8695
14 Phoenix, AZ 85004

Jim Nelson
12621 N. 17th Place
Phoenix, AZ 85022

15 Thomas L. Mumaw
16 Karilee S. Ramaley
17 PINNACLE WEST CAPITAL
18 CORPORATION
19 P.O. Box 53999
20 Phoenix AZ 85072-3999

Scott S. Wakefield
RUCO
1110 W. Washington, Ste. 220
Phoenix, AZ 85007
Bill Murphy
Murphy Consulting
5401 N. 25th Street
Phoenix, AZ 85016

21 Brian Brumfield
22 Supervisor of Regulatory Affairs
23 Arizona Public Service Company
24 Mail Station 9708
25 PO Box 53999
26 Phoenix, Arizona 85072-3999

Douglas V. Fant
3655 W. Anthem Drive, Ste. A109
PMB 411
Anthem, AZ 85086

27 Deborah R. Scott
28 Kimberly A. Grouse
SNELL & WILMER
One Arizona Center
400 E. Van Buren Street
Phoenix AZ 85004-2202

Amanda Ormond
INTERWEST ENERGY ALLIANCE
7650 S. McClintock, Ste. 103-282
Tempe, AZ 85284

Dan Austin
Comverge, Inc.
6509 W. Frye Road, Ste. 4
Chandler, AZ 85226

Michael W. Patten
ROSHKA, DeWULF & PATTEN
One Arizona Center
400 East Van Curen Street, Ste. 800
Phoenix, AZ 85004

Michelle Livengood
 UniSource Energy Services
 One South Church Street, Ste. 200
 Tucson, AZ 85702

Timothy M. Hogan
 Arizona Center for Law in the Public Interest
 202 E. McDowell Road, Ste. 153
 Phoenix, AZ 85004

Tracy Spoon
 Sun City Taxpayers Association
 12630 N. 103rd Avenue, Ste. 144
 Sun City, AZ 85351

Walter W. Meek
 Arizona Utility Investors Association
 2100 N. Central Avenue, Ste. 210
 Phoenix, AZ 85004

Michael L. Kurtz
 Kurt J. Boehm
 BOEHM, JURTZ & LOWRY
 36 East Seventh Street, Ste. 1510
 Cincinnati, OH 45202
 Attorneys for The Kroger Co.

C. Webb Crockett
 Patrick J. Black
 FENNEMORE CRAIG
 3003 North Central Avenue, Ste. 2600
 Phoenix, AZ 85012-2913
 Attorneys for Phelps Dodge Mining Company
 and Arizonans for Electric Choice and
 Competition

Donna M. Bronski
 Deputy City Attorney
 3939 N. Drinkwater Blvd.
 Scottsdale, AZ 85251

Robert W. Geake
 ARIZONA WATER COMPANY
 P.O. Box 29006
 Phoenix, AZ 85038

Lieutenant Colonel Karen S. White
 Chief, Air Force Utility Litigation Team
 AFLSA/JACL-ULT
 139 Barnes Drive
 Tyndall AFB, FL 32403

Greg Patterson
 916 West Adams, Ste. 3
 Phoenix, AZ 85007

Lawrence V. Robertson, Jr.
 MUNGER CHADWICK
 P.O. Box 1448
 Tubac, AZ 85646
 Attorneys for Mesquite Power, LLC,
 Southwestern Power Group, II, LLC and
 Bowie Power Station, LLC

George Bien-Willner
 3641 N. 39th Avenue
 Phoenix, AZ 85014

Sean Seitz
 3008 N. Civic Center Plaza
 Scottsdale, AZ 85251
 Arizona Solar Energy Industries Association

Jay I. Moyes
 MOYES STOREY
 1850 N. Central Avenue, Ste. 1100
 Phoenix, AZ 85004

Kenneth R. Saline
 K.R. SALINE & ASSOCIATES, PLC
 160 N. Pasadena, Ste. 101
 Mesa, AZ 85201

Andrew W. Bettwy
 Karen S. Haller
 Debra S. Jacobson
 Legal Affairs Department
 SOUTHWEST GAS CORPORATION
 5241 Spring Mountain Road
 Las Vegas, NV 89150

Tammie Woody
 10825 W. Laurie Lane
 Peoria, AZ 85345

David Kennedy
 818 E. Osborn Road, Ste. 103
 Phoenix, AZ 85014
 Attorney for Arizona Interfaith Coalition on
 Energy

Joseph Knauer, President
 Jewish Community of Sedona
 100 Meadowlark Drive
 P.O. Box 10242
 Sedona, AZ 86339

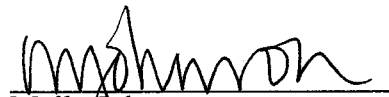
1 Michael F. Healy
2 MORGAN, LEWIS & BOCKIUS
3 1111 Pennsylvania Avenue, NW
4 Washington, DC 20004

5 Gary L. Nakarado
6 24657 Foothills Drive N
7 Golden, CO 80401

8 Christopher Kempley, Chief Counsel
9 Legal Division
10 ARIZONA CORPORATION COMMISSION
11 1200 West Washington Street
12 Phoenix, AZ 85007

13 Ernest G. Johnson, Director
14 Utilities Division
15 ARIZONA CORPORATION COMMISSION
16 1200 West Washington
17 Phoenix, AZ 85007

18 By:

19 
20 Molly Johnson
21 Secretary to Lyn Farmer
22
23
24
25
26
27
28